

Panaji, 28th August, 2008 (Bhadra 6, 1930)

SERIES I No. 22

OFFICIAL GAZETTE

GOVERNMENT OF GOA

INDEX

Department	Notification/Order/Bills	Subject	Pages
1. Education, Art & Culture (i) Directorate of Art & Culture	Order No. DAC/5/EST/SK/2007/1765	Nomenclature of the post.	727
(ii) Adult Education Section	Not. Nos. (i) 30/20/2008/DE/AE/389 (ii) 30/20/2008/DE/AE/390	Scheme for Literacy & Vocational Training for Adults. Revised Scheme for Education of Children with Special Needs.	730
2. Goa Legislature Secretariat	Bill Nos. IA/LEGH/2008/1811, 1812, 1813, 1833, 1834, 1835, 1836.	(1) The Goa Tax on Infrastructure (2nd Amendment) Bill, 2008. (2) The Goa Value Added Tax Fourth Amendment Bill, 2008. (3) The Goa Motor Vehicles (Taxation on Passengers & Goods) Amendment. (4) Ban on Imm. of Plaster of Paris Bills Bill, 2008. (5) Goa Town & Country Planning (Repeal of Amendment) Bill, 2008. (6) Goa Public Gambling (Amendment) Bill, 2008. (7) Goa Panchayat Raj (Amendment) Bill, 2008.	736
3. Official Language & Public Grievances	Not. Nos. 5/10/DOL/Publications/2008-2009/482	Scheme for publications in Official Language, 2008	751
4. Personnel	1/7/79-PER (Pt-V)	Amendment for the post of Assistant. Librarian.	753
5. Public Health	22/6/2008-I/PHD	Screening of new born babies for metabolic disorders.	755

GOVERNMENT OF GOA

Department of Education, Art & Culture

Directorate of Art & Culture

Order

Ref. No. DAC/5/EST/SK/2007/1765

-75-3950-80-4590 is to be read as "STORE CLERK" without any change in the pay scale.

The nomenclature of the post appearing in the Orders referred above at Sr. No. 2 and 3 as "THEATRE MANAGER" in the pay scale of Rs. 4500-125-7000 is to be read as "THEATRE MANAGER (Jr. scale)" without any change in the pay scale.

This is issued with the approval of the Administrative Reforms Department and Finance (R&C) Department vide U. O. No. 1704-F dated 12-6-2008.

By order and in the name of the Governor of Goa.

Prasad Lolayekar, Director of Art & Culture & ex officio Joint Secretary.

Panaji, 19th August, 2008.

The nomenclature of the post appearing in the Orders referred above at Sr. No. 1, 2 and 3 as "STORE KEEPER" in the pay scale of Rs. 3050-

Adult Education Section

Notification

30/20/2008/DE/AE/389

The Government of Goa is pleased to introduce the "**Scheme for Literacy and Vocational Training for Adults**" in the State of Goa, for general information for the public.

1. Introduction.— It has been observed that large number of adults are illiterate in our State. The basic reason is the financial weakness of the family. In order to increase the existing rate of literacy and to impart vocational training such as artificial jewellery making, preparation of chalk, candles, paper bags, glass painting, fabric painting, pot painting, training of mehandi, rangoli, rakhi, greeting cards, flower bouquets, flower pots, training of beauty parlour etc. It is proposed to introduce the scheme for Literacy and vocational training for adults for the welfare of illiterate.

1. Short title and commencement.— (1) This scheme may be called as "**The Scheme for Literacy and Vocational Training for Adults**".

(2) It shall be deemed to have come into force with immediate effect.

3. Aims and Objectives.— The main objective of the scheme is to increase adult literacy rate in the State, illiterate to acquire skill of writing, reading numbers (learning numerals) from 1 to 100, knowledge of money matter involving in day to day life. Further to impart basic skills of vocational training in Artificial jewellery making, preparation of chalk, candles, paper bags, glass painting, fabric painting, pot painting, training of mehandi, rangoli, rakhi, greeting cards, flower bouquets, flower pots, training of beauty parlour etc.

4. Implementing Agency.— The scheme will be implemented by the Directorate of Education, Government of Goa and the Director of Education shall be nodal officer to deal with the scheme for literacy and vocational training. The applications for the scheme will be invited from the registered N G O, village panchayat, municipalities and municipal corporation. Scrutiny of the applications shall be done by the Adult Education Section of Directorate of Education, Panaji and decision of Nodal Officer shall be final and binding on the implementing agency.

5. Scope.— The scope of the scheme includes illiterate adults of above 20 years enjoying good health and sound mind. Each centre should have minimum 20 adults and should operate 4 times a week with a duration of 1 $\frac{1}{2}$ hour per day at convenient time of learners. Initially it is proposed to have 50 centres throughout the State.

6. Component of the scheme.— (i) Literacy class for group of 20 adults enjoying good health.

(ii) Vocational training as per local needs or as suggested above.

7. Implementing Procedure.— For Component (I)

(i) Literacy class for adults will be 4 days in a week and each day will be of 45 minutes duration.

(ii) Each day will have break up as shown:

(a) 10 mins.— for motivation session which will include topics on Health, Education, Science, Environment, Politics etc. Any controversial topic must be avoided.

(b) 10 mins.—writing skill (learning)

(c) 10 mins.—reading skill (learning)

(d) 15 mins.—practice

Total 45 mins.

(iii) Monthly attendance and evaluation sheets of individual learners with countersignature of President the organization running the centre must be sent to the Director of Education.

(iv) Incentives to the learners will be sanctioned only if 80% attendance is obtained less than that no incentives will be paid.

(v) Classes must be planned as per convenience of adults and tentative plan of classes both literacy and vocational training must be sent to the Directorate of Education well in advance any change in the schedule should also be informed in advance.

For Component (II)

Vocational class for adults will be of 45 minutes duration and 4 days a week.

The organization running Vocational Training Centre may choose different short term 1-2 months vocational training programme or any suitable courses as per local need such as artificial

jewellery, preparation of chalk, candles, paper bags, glass painting, fabric painting, pot painting, training of mehandi, rangoli, rakhi, greeting cards, flower bouquets, flower pots, training of beauty parlour etc. over the period of six months of the scheme.

Pattern of Assistance

(1) Total grant of Rs. 60,000/- shall be given in 3 instalments for implementation of scheme of Literacy and Vocational Training course over 6 months duration.

(2) Token installment of Rs.20,000/- shall be released after sanction of the scheme to the organization.

(3) Second installment of Rs. 20,000/- shall be released after 3 months subject to submission of utilization certificate of previous installment and submission of 60% achievements by the learners as per internal evaluation report

(4) Third installment of Rs. 20,000/- shall be released at the end of 6 months Adult Literacy and Vocational Training Course and 60% achievements by the learners as per external evaluation report

Admissible items of expenditure

1. Survey of learners	Rs. 1,000/-
2. Honorarium for instructors @ 1250 p.m. (1250 x 2 x 6).	Rs. 15,000/-
3. Electricity charges for 6 months	Rs. 1,000/-
4. Incentive for learners (Rs.100 x 20 x 6)	Rs. 12,000/-
5. Expenditure for raw materials For Vocational training (Rs.225 x 20 x 6) @ Rs.225/- per head	Rs. 27,000/-
6. Teaching Material/Aids	Rs. 3,000/-
7. Miscellaneous	Rs. 1,000/-
Total: Rs. 60,000/-	

Minimum qualification for the Vocational instructor shall be Trade Certificate/Experience Certificate in the respective vocation. As regards to Adult Literacy instructors, minimum qualification shall be graduate however trained experienced teacher shall be preferred.

8. *Medium of Instruction.*— Medium of Instruction shall be as per the convenience of the learners.

9. *Cancellation of the Literacy and Vocational Training Centre.*— The permission to run the Literacy and Vocational Training Centre shall be cancelled if it is found that the Agency is not running satisfactorily.

This issues with the concurrence of Finance (Expenditure) Department vide their U. O. No. 1856 dated 6-5-2008.

By order and in the name of the Governor of Goa.

Dr .Celsa Pinto, Director of Education & ex officio Joint Secretary.

Panaji, 12th August 2008.

Annexure - I

Application to avail scheme of Adult Literacy and Vocational Training

To
The Director,
Directorate of Education,
Panaji-Goa.

Sub :- Request to avail scheme and financial assistance as per scheme.

Madam,

I, Sri/Sit.
Chairman ofsociety
..... Registered under society
At 180 Registration No. dated
wish to avail the scheme of Literacy and Vocational Training for Adults by the Director of Education.
I assure you to give full justice to this scheme and I am aware that during implementation any default on our part will lead to action that deemed fit and withdrawal of the scheme. The detail of our organization and our initiatives towards scheme is given below:-

1. Name of organization/Registration No.
2. Name of President and Address.
3. Place and area of proposed centre.
4. Whether electrified or not.
5. Total No. of adults: (Declaration enclosed).

6. Name and duration of vocational training courses.

- (i)
- (ii)
- (iii)

7. If the Government have reasons to believe that grants have not been utilized for approved purpose the Government may stop the payment of further installments and recover the earlier grants in such a manner so they may decide.

8. The accounts of the institution shall be properly maintained and they shall always be opened to check by an officer deputed by the Government. They shall be opened to test check by the comptroller and Auditor General at his discretion. Progress report will be furnished at regular intervals and may be specified by the Government.

9. Details of the staff:

(a) Name of the Instructor for literacy class, (pay should not exceed Rs. 1250/- p.m.

(b) Name of the Resource person for vocational training name(pay should not exceed Rs. 1250/- p.m.

Yours faithfully,

Seal

Annexure - II

Declaration on 20 Rs. Stamp paper to be given by Chairman of Society intend to avail the scheme

(1) I the undersigned Shri/Sit.
 Chairman Registered under society act, 1860 date and Registration No. son of age married/unmarried Service, Indian, National resident of do hereby state on solemn affirmation as under.

(2) I say that following adults are illiterate and have never been to the school in the Goa State or outside the state.

Name of the adult	Age	Father/ Husband Name	Marital status	Employed/ Unemployed/ /service	Nationality	Residential Address
1						

2

*

*

20

(3) I say that I have signed this declaration to produce before Director of Education, Directorate of Education, Government of Goa to avail scheme of adult literacy and vocational training centre.

(4) I say that the fact stated hereinabove are true to my knowledge and I have direct knowledge thereof and any false information may attract any action deemed fit on me Solemnly declared that on this _____ day 2008.

Place

Date

Witness:

1

2

Notification

3/4/2005-6/AE/DE/390

The Government of Goa is pleased to introduce the "REVISED SCHEME FOR EDUCATION OF CHILDREN WITH SPECIAL NEEDS" in the State of Goa for general information for the public.

Introduction

The State of Goa is striving to achieve universalisation of elementary education and has ensured near 100% coverage in terms of enrollment of children. However, a small section of about 1000 under-privileged children with special needs has been left out due to the lack of a properly targeted scheme. The existing schooling structure and pattern of assistance do not take care of Children With Special Needs. Even though certain NGOs have been consistently making efforts to provide appropriate education to this section of population, these efforts are not adequate to address the magnitude and complexity of the problem without the positive intervention of the State. In view of ensuring the welfare of all sections of society, Government has decided to formulate a scheme to educate Children With Special Needs.

Aims and Objectives

The main objective of the scheme is to provide opportunities to Children With Special Needs who can be broadly classified as follows:-

- (i) Mentally Challenged.
- (ii) Slow Learner/Learning disabled.
- (iii) Autistic child.
- (iv) Hearing and speech impaired.
- (v) Orthopaedically handicapped including polio and accident cases.

(vi) Visually impaired.

(vii) Any other type as per declaration by Director of Education under this scheme.

The Scheme for Education of Children With Special Needs is intended to provide a better educational environment to such children by providing them Individual Assistance and also by awarding Financial Grants to Special Schools and Regular Schools as an Incentive and for upgrading and enhancing educational facilities for students with special needs. The individual assistance to students is meant to assist the families of such children and to remove any financial hardship such families face on account of disability of the children. The Grant component is meant for vocational training, counselling for parents, early detection and identification, formal and functional assessment by specialized agencies, building of necessary infrastructure in special as well as selected schools providing integrated education, removal of architectural barriers, development of resource rooms, development of parent support groups, production/purchase of aids and appliances, as well as teaching material and assistance towards hostel facilities.

Children With Special Needs may be adjusted into Special Schools or Regular/Normal schools as per feasibility. If Children With Special Needs are absorbed and retained in the regular school system, such an act will help boost their morals which in turn will help in overcoming disabilities and in the overall development of their personalities, and as such the same should be encouraged.

The scheme for Children with Special Needs, introduced in 2005, does not provide for certain specialized staff that the management of Special Schools have been insisting upon for sometime in the past, such staff as Speech Therapist, Occupational Therapist, etc. are a must in every special school to attend to the specific problems of the children with disabilities.

At present some schools are following syllabus of Goa Board, others the National Open School, etc. There is an urgent need for a curriculum exclusively for Special and Inclusive Education.

Components of the Scheme

Keeping in view above aims and objectives, the scheme has two allied components. The scheme

will be implemented on a long-term basis with 100% need-based assistance from the State Government. The two components are as follows:-

(i) Assistance to the Child With Special Needs directly or through the school.

(ii) Assistance to the institutions running Special Schools for Children With Special Needs as also Regular Schools giving integrated education.

Implementing agency

The scheme will be implemented by the Department of Education, which shall consult the Department of Social Welfare as and when required. Deputy Director of Education (Adult Education) shall be the nodal officer in the Directorate of Education to deal with matters connected with Children With Special Needs including this scheme.

Scope

The scope of the scheme includes pre-school training for Children With Special Needs, counselling for parents, early detection and identification with the help of health units of the Government/NGOs, formal and functional assessment by a specialized Group/Committee comprising of a doctor, a psychologist and a special educator/NGO, building of necessary infrastructure in special as well as selected schools providing integrated education, removal of architectural barriers, development of manpower in terms of resource persons, special teachers and teacher educator, development of parent support groups, production/purchase of aids and appliances as well as teaching material and assistance towards hostel facilities.

The education to Children With Special Needs shall continue up to the age of 21 and may continue up to the age of 35 in some cases, with the approval of Government (For the purpose of claiming Government Grants/Aid only). There shall be no minimum age limit for the admission of children into special schools as in the case of normal schools.

A special school should have the strength of at least 20 Children With Special Needs. However Government in deserving cases may relax the number to become eligible for availing the benefits under the scheme. There would be no such limit

of children in case of regular schools where the School Education Act (1984) will be the deciding factor. The Government would encourage selected regular schools having adequate manpower and infrastructure for integrated education, for availing grants so as to avoid the scattering of the resources in this area.

A Child with Special Needs, who is a recipient of any other scholarship/assistance under any State Government or Central Government scheme relating to disability, will be eligible to receive benefits under this scheme to the extent of difference only. For the purpose of this clause scholarship/assistance granted for reasons other than the disability shall not be taken into consideration.

The scope of the scheme shall also include any other training or activity or benefits as declared by Director of Education from time to time by notification with due approval of the Government.

Procedure for Implementation

The scheme will be implemented through regular as well as special schools. A regular school may admit a Child with Special Needs if the nature and extent of disabilities permit inclusive education to him/her. The Director of Education shall be the Nodal Agency to certify the child as eligible for benefit in the case of regular schools. This role may be performed with the assistance of a standing expert committee consisting of a doctor, psychologist and a special educator if required. The committee in consultation with special schools, shall also make periodical assessment of the communication and functional skills acquired by Children With Special Needs in the special schools and would recommend a Child With Special Needs for integration in the regular school if found fit. Special Schools shall normally deal with children with complex disabilities. Any child admitted in an institution running a special school shall be automatically eligible for the individual benefits. The scheme would however not prevent special schools from admitting children with physical disabilities who could otherwise have been admitted in regular schools. The endeavour of special schools shall always be to place Children With Special Needs in regular schools after they acquire the communication and the daily living skills at the functional level. In the beginning, the institutions running special schools would be eligible for grants subject to meeting the criteria

of strength of children and recognition by the Director of Education. In due course of time, the Government may frame guidelines and amend the School Education Act (1984) and Rules framed thereunder to provide for the recognition of the regular schools identified for integrated education as also special schools. Relaxation and innovation in the areas of age for admission, methods of teaching, assessment, evaluation and examination of Children With Special Needs would be permitted by Director of Education so as to create an amiable environment for Children with Special Needs.

The following assistance shall be available under the first component of the scheme and given to Children With Special Needs/parents through the institutions:-

(i) Grant of Rs. 500/- per annum on books and other stationery per child.

(ii) Fixed amount of Rs. 800/- per annum per child for uniform.

(iii) Travelling allowance of Rs. 200/- per month per child.

(iv) Actual expenses on equipment required for facilitating the child's education up to maximum of Rs. 5000/- once in 3 years per child (to be given in the first year).

(v) Escort allowance of Rs. 200/- per month per child, subject to attendance of 60% in the month.

The following assistance shall be available under the second component of the scheme and shall be given to the institutions:-

(i) Incentive of Rs. 300/- (for attendance $\geq 60\%$) or Rs. 200/- (for attendance $\geq 45\%$ but $< 60\%$) per month per child to the school giving education for a maximum of 10 months of each academic year. (Applicable to both regular and special schools).

(ii) All other schemes, which are applicable to regular/normal schools, will be applicable to special schools.

(iii) Further one time assistance shall also be available with prior approval of Director of Education on actual basis for early detection and identification, purchase of aids and appliances,

construction of resource room, human resource development in the area of special education, purchase of raw material and equipment for vocational training, production/purchase of teaching material, assessment, removal of architectural barriers.

The institutions desirous of implementing this scheme shall send their applications in the prescribed format at Annexure I.

In order to be eligible for financial assistance, Non-Government Organisations should:-

(1) Have a proper Constitution of Articles of Association as required under Society Registration Act.

(2) Have a properly constituted managing body with its powers and duties clearly defined in a Constitution.

(3) Be in position to secure involvement, on voluntary basis, of knowledgeable persons for the furtherance of their programme.

(4) Not discriminate against any person or group of persons on the grounds of sex/caste/creed.

(5) Not be engaged in the profit of any individual or body of individuals.

(6) Have been in existence for three years. However this can be relaxed by the Government.

Conditions of Grant to Non-Government Organisations shall include the following:—

(i) The grant receiving agency will be required to execute a bond in the prescribed form (Annexure II).

(ii) An agency in receipt of financial assistance shall be open to inspection by an officer of the Education Department.

(iii) The accounts of the scheme shall be maintained properly and separately submitted as and when required. They should be open to check by an officer deputed by the State Government. They shall also be open to a test check by the internal and external audit.

(iv) The audited accounts together with utilization certificate in the prescribed form duly

countersigned by the Chartered Accountant are required to be furnished within six months in respect of preceding year or after expiry of the duration for which grant is approved.

(v) The agency shall maintain a record of all the assets acquired wholly or substantially out of Government grant and maintain a register of such assets in the prescribed proforma. Such assets shall not be disposed of encumbered or utilized for the purpose other than those for which the grant was given, without prior sanction of the State Government. Should the agency cease to exist at any time, such properties shall revert to the Government.

(vi) When the State Government has reasons to believe that the sanctioned money is not being utilized for the approved purpose, the payment of grant may be stopped and the earlier grants recovered.

(vii) The institution must exercise reasonable economy in the working of the approved project.

(viii) The grantee agency shall furnish the Director of Education with such reports as may be prescribed.

(ix) The release of Grant shall be subject to the financial rules.

(x) The decision of the Secretary to the Government of Goa on the question whether there has been breach or violation of any of the terms and conditions mentioned in the sanction letter shall be final and binding on the grantee.

Evaluation and Monitoring

A format for monitoring the progress of the project will be prescribed at the time of the sanction depending upon the nature of the project. The voluntary agency shall submit the project reports every quarter in the prescribed format to the Director of Education.

Qualifications, Emoluments and Scale of Strength for Staff:—

The qualifications for teachers in a special school/regular school giving integrated education shall be as follows:—

—For Higher Secondary level - Postgraduate with B.Ed.(Special Education) or at least one year

course of special training in the field of one disability or multiple disability from RCI/NUM/ /NIMH/RCE, Department of Special Education of University/DIET.

—For High School/Middle School level Graduate with B.Ed. (Special Education) or at least one year course of special training in the field of one disability or multiple disability from RCI/NIH/ /NIMH/RCE, Department of Special Education of University/DIET.

—For Primary level HSSC with at least one year course of special training in the field of one disability or multiple disability from RCI/NIH/ NIMH/RCE, Department of Special Education of University/DIET.

Teachers working in the field of disability should be registered with Rehabilitation Council of India. The teachers in Special Schools shall receive the same pay as their counterpart in the regular/ /normal schools.

Director of Education from time to time by way of Recruitment Rules may notify their qualification requirements, pay scales and training specification.

The teacher-pupil ratio in the school giving education to Children With Special Needs shall normally be 1:8. However in exceptional cases of severe disability a ratio of 1:4 may be permitted with the approval of Department of Education on case to case basis. This will apply to a small section of students and the ratio of 1:8 shall be maintained for the balance children. The helper (ayah)-student ratio shall be 1:30 for moderate disability and 1:10 for severe disability. The selected regular school giving integrated education shall have at least one special teacher having multi-disability training.

In case qualified special education teachers are not available, teachers with short term training courses or adequate experience may be appointed on temporary basis, with the condition that they shall obtain the requisite qualification within five years of their appointment failing which their services shall be terminated. Special allowance and scales for these teachers will be admissible only after obtaining the prescribed qualifications. Until then they shall be treated on par with primary teachers for the purpose of pay. In the case of existing teachers who do not possess the

qualifications as prescribed by the Recruitment Rules, the Director of Education may relax the same if the concerned teacher has outstanding aptitude and experience of not less than 5 years and grant approval for the appointment.

The scheme for education of children with special needs also permits Special staff such as:-

- (i) Speech Therapist (one post).
- (ii) Physio Therapist (one post).
- (iii) Physical Education Teacher (one post).
- (iv) Art or Craft/Vocational Assistant (one post.).

Training of Special Teachers

Principal of DIET/special schools/selected schools with integrated education facility may seek guidance from RCI/NIH/NIMH/RCE for various pre-service and in-service training courses for teachers and other special staff/personnel. The facilities for training of special teachers are available in the Regional College of Education, Training Centres being run by the National institute for the Handicapped, Special Education Department of Universities and selected Colleges for Education etc. Principal of D.I.E.T. and heads of special schools/selected schools with integrated education facility may organize short term teacher training courses by calling resource persons from the RCI/NCERT/NIHC/RCE. The expenditure on these short term courses shall be borne by the Government. They may also send the special education teachers on their roll to the above institutes of national repute for short term courses/ /special training. However, the participant will not be eligible for TA/DA etc., except paid leave to participate in the programmes. DIET shall also create in-house facilities for the training of special teachers.

Instructional Material

A availability of requisite teaching/learning material for Children with Special Needs is vital for the successful implementation of the scheme. Financial assistance under this scheme will be provided to special schools for the purchase/ /production/translation (Konkani/Marathi) teaching/learning materials for children with Special Needs and also for the purchase of aids/ /equipment required by them. Special Schools will seek guidance from RCI/NCERT/NIHC/NIMH/ /RCE/IET for the teaching material/media, teaching aid to be sponsored under the scheme.

The following equipments/material shall interalia be permitted under the scheme:-

Disability-wise inventory of Equipment and Material Required for the Resource Room

Aids and equipments

Disability	Individual	Sharing within school	Sharing amongst schools	Instructional Material
Orthopaedic	Adjustable furniture, special writing, thick pen	Adjustable furniture, provision for development of improvised prosthetics		
Visually Impaired Blind	Braille slate and stylus Abacus. Taylor frame mobility canes	Brailler, Abacus, Taylor, Frame Cassette and talking books, maps, recreational materials	Braille sheets thermoform machine Indu Brailler, maintenance services for Brailler, embossed, recreational materials	Braille textbooks, material on cassette and talking
Partially Sighted and low vision children	Special adaptive equipment like hand magnifiers to be used with spectacles, portable reading lamps	Specially designed desks with adjustable magnifiers white boards in place of black boards	Special arrangements for producing Large print materials	Large print materials
Hearing Impaired	Individual hearing aids	Voice trainer, mirror in size of '3x6' for speech therapy, big mirrors 10 x 6 in each classroom, group hearing aids, cells for hearing aids	Audiometer Voice trainer maintenance facilities for hearing aids	Special learning materials like flash charts, educational games, handouts of classroom activities
Mentally Challenged		Sensory apparatus and kits prepared on the lines of Maria Montessori kits or produced by NCERT for Early childhood Education Programme		Material written on a lower reading level than average
Autistic	Flash Cards, Books about Basic self help skills with pictures	Occupational therapy, Speech therapy	Computer soft-ware with specific emphasis on language problems	Large printing material

The scheme ensures a one time grant of maximum of Rs. 5.00 lakhs to be released in appropriate number of installments and subject to actual expenditure and need as assessed by the Department of Education to be spent within three years on receipt of grant.

Medium of Instruction

Instructions shall be in medium/language best suited to the learning needs of the children.

This issue with the concurrence of Finance (Expenditure) Department vide their U. O. No. 1759 dated 28-4-2008.

By order and in the name of Governor of Goa.

Dr. Celsa Pinto, Director of Education & ex officio Joint Secretary.

Panaji, 22nd August, 2008.

—♦♦—

Goa Legislature Secretariat

Notification

LA / QUEST./1803/2008

In pursuance of Rule - 269 of the Rules of Procedure and Conduct of Business of Goa Legislative Assembly the following document laid on the Table of the House of the Goa Legislative Assembly on 19th August, 2008 has to be declared to be published for general information.

1. Report of the Comptroller and Auditor General of India for the year ended 31st March, 2007.

Assembly Hall,
Parvorim-Goa.
Dated: 19th August, 2008.

R. Kothandaraman
Secretary, Legislature

LA/LEGN/2008/1811

The following bill which was introduced in the Legislative Assembly of the State of Goa on 21-8-2008 is hereby published for general information in pursuance of Rule-138 of the Rule of Procedure and Conduct of Business of the Goa Legislative Assembly.

THE GOA TAX ON INFRASTRUCTURE (SECOND AMENDMENT) BILL, 2008

(Bill No. 28 of 2008)

A

BILL

further to amend the Goa Tax on Infrastructure Act, 1997 (Act 12 of 1997).

BE it enacted by the Legislative Assembly of Goa in the Fifty-ninth Year of the Republic of India as follows:-

1. *Short title and commencement.*— (1) This Act may be called the Goa Tax on Infrastructure (Second) (Amendment) Act, 2008.

(2) It shall come into force on such date as the Government may, by notification in the Official Gazette, appoint.

2. *Amendment of section 2.*— In section 2 of the Goa Tax on Infrastructure Act, 1997 (Goa Act 12 of 1997) (hereinafter referred to as the "principal Act"),—

(i) before clause (2), the following clause shall be inserted, namely:—

"(1) "Commercial building or non residential building" means any building or structure consisting of shop, store-room or office premises, either on the ground floor or any other floor, used wholly or partly for business activities but does not include multi-dwelling building or industrial building;"

(ii) in clause (6),—

(a) for the expression, "Commercial or office premises", the word "purpose" shall be substituted.

(b) after the words "for educational institutions," the expression "Orphanages, old age homes, homes for spastic/retarded children" shall be inserted.

3. *Amendment of section 3.*— For section 3 of the principal Act, the following section shall be substituted, namely:—

3. Tax on Infrastructure.— (1) Any person who has constructed a multi-dwelling building, in respect of which the construction licence has been issued on or after 1-4-2008 shall, before grant of permission for occupation or use of such building, or part thereof, be liable to pay a tax at the rate of rupees fifty per square meter of the floor area of such building as infrastructure tax.

(2) Any person who has constructed a commercial building or an industrial building or a non-residential building, in respect of which the construction licence has been issued on or after 1-4-2008 shall, before grant of permission for occupation or use of such building or part thereof, be liable to pay a tax at the rate of rupees hundred per square meter of the floor area of such building as infrastructure tax."

4. Amendment of section 5.— In section 5 of the principal Act, in sub-section (1), for the expression "industrial building", the expression "industrial building or commercial building or non-residential building" shall be substituted.

5. Amendment of section 7.— In section 7 of the principal Act, for the expression "industrial building", the expression "industrial building or commercial building or non-residential building" shall be substituted.

Statement of Objects and Reasons

As per section 3 of the Goa Tax on Infrastructure Act, 1997 (Act 12 of 1997) (hereinafter referred to as the "said Act"), any person who has constructed a multi-dwelling building or an industrial building, in respect of which the construction licence has been issued on or after 1-4-2006, shall, before grant of permission for occupation or use of such building, be liable to pay a tax at the rate of rupees forty per square meter of the floor area of such building as infrastructure tax. The infrastructure tax being collected at present is only a meagre amount compared to the infrastructure required to be provided by the Government in the towns and country side. There is a need to enhance the rates further to finance the infrastructural requirements being provided by the Government and for that purpose the Bill seeks to amend section 3 of the said Act so as to levy infrastructure tax at the rate of Rs. 50/- per square meter of floor area of the multi-dwelling building and Rs. 100/- per square meter of floor area of the Commercial building, non-residential building and industrial building. The Bill also seeks to amend clause (6) of section 2 of

the said Act so as to exempt buildings constructed for use as orphanages, old age homes, homes for spastic/retarded children from purview of infrastructure tax.

Amendment to sections, 5 and 7 are consequential in nature.

This Bill seeks to achieve the above objects.

Financial Memorandum

The said Act is being implemented through certain Officers empowered to collect the tax. As no special machinery is required to be appointed for this purpose, no financial expenditure is involved while implementing the Act. It is not possible to make any accurate estimate about the revenue generation at this stage, as the number of multi-dwelling buildings, commercial buildings, industrial buildings and non-residential buildings being constructed is presently not readily available. However, on an average, an additional amount of about Rs. 100 lakhs will be generated by virtue of increase in the rate of infrastructure tax from Rs. 40 per square meter to Rs. 50/- per square meter of floor area of multi dwelling buildings and by levying Rs. 100/- per square meter of floor area of commercial buildings, non-residential buildings and industrial buildings.

Memorandum Regarding Delegated Legislation

No delegated legislation is involved in this Bill.

Panaji, Goa.

8th August, 2008.

DIGAMBAR KAMAT

Hon. Chief Minister

Assembly Hall,
Porvorim, Goa.

R. KOTHANDARAMAN
Secretary to the Legislative
Assembly of Goa.

Governor's Recommendation under Article 207 of the Constitution

In pursuance of Article 207 of the Constitution of India, I, S. S. Sidhu, Governor of Goa, hereby recommend to the Legislative Assembly of Goa, the introduction and consideration of the Goa Tax on Infrastructure (Amendment) Bill, 2008.

ANNEXURE

Extracts of Section 2, 3, 5 & 7 of Goa Tax on Infrastructure Act, 1997 as amended on 17-1-1998 and on 5-5-2008.

2. Definitions.— In this Act, unless the context otherwise requires,—

(1) “competent authority” means such authority or officer of the Government, as the Government may, by Notification in the Official Gazette, specify;

(2) “Government” means the Government of Goa;

(3) “local authority” means a Municipal Council constituted under the Goa Municipalities Act, 1968 (Act No. 7 of 1969) or a Panchayat constituted under the Goa Panchayat Raj Act, 1994 (Act No. 14 of 1994);

(4) “infrastructure” means the provision of potable water, electricity, and other amenities like roads, sewage system, etc;

(5) “multi-dwelling building” includes any building consisting either of a single self contained unit having built up area of more than 100 sq. mts., or more than one independent unit used for domestic, commercial or office premises but does not include building constructed for educational institutions, or by any other non-profitable organisations and such other organisations as may be notified by the Government in public interest.

3. Tax on infrastructure.— Any person who has constructed a multi-dwelling building in respect of which the construction licence has been issued on or after 1-4-2006, shall, before grant of permission for occupation or use of such building or part thereof, be liable to pay a tax at the rate of rupees forty per square metre of the floor area of such building as infrastructure tax.

5. Local authority not to issue occupancy certificate.— (1) No local authority shall issue occupancy certificate to any multi-dwelling building or industrial building as the case may be unless the person applying for it produces a certificate from the competent authority that the tax due under this Act has been paid in respect of such building.

(2) No person shall occupy any building or part thereof unless the tax payable under this Act in respect of such building has been paid.

7. Penalty.— Whoever contravenes the provision of this Act shall, on conviction, be liable to imprisonment to a term not exceeding one year and also liable to pay as fine, twice the amount of tax payable under this Act in respect of the multi-dwelling building or industrial building as

the case may be in respect of which the offence was committed.

Assembly Hall,
Parvorim, Goa.
9th August, 2008.

R. KOTHANDARAMAN
Secretary to the Legislative
Assembly of Goa.

LA/LEGN/2008/1812

The following bill which was introduced in the Legislative Assembly of the State of Goa on 21-8-2008 is hereby published for general information in pursuance of Rule-138 of the Rule of Procedure and Conduct of Business of the Goa Legislative Assembly.

**THE GOA VALUE ADDED TAX
(FOURTH AMENDMENT)
BILL, 2008**

(Bill No. 35 of 2008)

A

BILL

further to amend the Goa Value Added Tax Act, 2005 (Goa Act 9 of 2005)

BE it enacted by the Legislative Assembly of Goa in the Fifty-ninth Year of the Republic of India, as follows:—

1. Short title and commencement.— (1) This Act may be called the Goa Value Added Tax (Fourth Amendment) Act, 2008.

(2) It shall be deemed to have come into force on the 1st day of April, 2008.

2. Amendment of section 2.— In section 2 of the Goa Value Added Tax Act, 2005 (Goa Act 9 of 2005) (hereinafter referred to as the “principal Act”), in clause (ad), the following proviso shall be inserted, namely:—

“Provided that in case of transfer of property in goods (whether as goods or in some other form) involved in the execution of a works contract, the sale price of such goods shall be determined in the prescribed manner by making such deductions from the total consideration for the works contract as may be prescribed and such price shall be deemed

to be the sale price for the purpose of this clause.”.

3. Amendment of section 6.— In section 6 of the principal Act, after sub-section (3), the following sub-section shall be inserted, namely:—

“(4) Notwithstanding anything contained in sub-section (2), the Government may, in respect of any goods covered by Schedule “G” appended to the Act, by notification, exempt the sales inter-se dealers thereof, from levy and payment of output tax, when effected within the State, on such conditions as may be specified therein, and any such sales shall not be treated as “subsequent sale” as provided, in sub-section (2).”.

4. Amendment of section 9.— In section 9 of the principal Act, in sub-section (2), for clause (xi), the following clause shall be substituted, namely:—

“(xi) in respect of naptha and furnace oil used either as raw material or fuel by chemical fertilizer industry.”.

5. Amendment of section 29.— In section 29 of the principal Act, in sub-section (3), after the second proviso, the following proviso shall be inserted, namely:—

“Provided also that the Commissioner may, if it is considered necessary by him so to do, by notification published in the Official Gazette, extend the period specified in this sub-section by a further period not exceeding one year.”.

6. Repeal and Saving.— (1) The Goa Value Added Tax (Amendment) Ordinance, 2008 (Ordinance No. 5 of 2008), is hereby repealed.

(2) Notwithstanding the repeal of the Goa Value Added Tax (Amendment) Ordinance, 2008 (Ordinance No.5 of 2008), anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act, as amended by this Act.

Statement of Objects and Reasons

The Bill seeks to amend clause (ad) of section 2 of the Goa Value Added Tax Act, 2005 (Goa Act 9 of 2005), so as to define “sale price” in case of transfer of property in goods in execution of a

works contract at par with the definition provided in the Central Sale Tax Act, 1956 (Central Act 74 of 1956).

The Bill further seeks to insert new sub-section (4) in section 6 of the said Act, so as to empower the Government, to exempt the sales inter-se dealers of goods covered by Schedule “G” appended to the said Act, from levy and payment of output tax, when effected within the State of Goa.

The Bill also seeks to amend clause (xi) of sub-section (2) of section 9 of the said Act, so as to provide that no input tax credit shall be claimed, or allowed in respect of naptha and furnace oil used either as raw material or fuel by chemical fertilizer industry.

The Bill also seeks to amend sub-section (3) of section 29 of the said Act, so as to empower the Commissioner to extend the period specified in said sub-section by a further period not exceeding one year.

As the Legislative Assembly of Goa was not in session and the above mentioned amendments were required to be carried out immediately, the Governor of Goa promulgated the Goa Value Added Tax (Amendment) Ordinance, 2008 (Ordinance No.5 of 2008), on 15th day of June, 2008. The Bill seeks to replace the said Ordinance.

This Bill seeks to achieve the above objects.

Financial Memorandum

No financial implications are involved in this Bill.

Memorandum Regarding Delegated Legislation

Clause 2 of the Bill empowers the Government to frame rules so as to specify the manner in which the sale price to be determined in case of transfer of property in execution of works contract.

Clause 3 of the Bill empowers the Government to issue notification exempting sales inter-se dealers of goods covered by Schedule G appended to the Act, from levy and payment of output tax.

Clause 5 of the Bill empowers the Commissioner to issue notification extending the period specified in sub-section (3) of section 29 of the Act by a further period not exceeding one year.

These delegations are of normal character.

Assembly Hall,
Parvorim, Goa. SHRI DIGAMBAR KAMAT
Honourable Chief Minister.
18th August, 2008.

Assembly Hall,
Parvorim, Goa. R. KOTHANDARAMAN
Secretary to the Legislative
18th August, 2008. Assembly of Goa.

Governor's Recommendation under Article 207 of the Constitution of India

In pursuance of Article 207 of the Constitution of India, I, Dr. S. S Sidhu, the Governor of Goa, hereby recommends to the Legislative Assembly of Goa, the introduction and consideration of the Goa Value Added Tax (Fourth Amendment) Bill, 2008.

Raj Bhavan (Dr. S. S. Sidhu)
Dated: 18-08-2008. Governor of Goa.

A N N E X U R E

Bill No. 35 of 2008

The Goa Value Added Tax Act, 2005 (Goa Act 9 of 2005)

2. Definition.— In this Act, unless the context otherwise requires,—

(a) "agriculture" with all its grammatical variations and cognate expressions, includes horticulture, the raising of crops, grass or garden produce, and also grazing; but does not include dairy farming, poultry farming, stock breeding, the mere cutting of wood or grass, gathering of fruit, raising of man-made forests or rearing of seedlings or plants;

Explanation.— For the purposes of this clause and clause (d), the expression "forest" means the forest to which the Indian Forest Act, 1927(Central Act 16 of 1927), in its application to the State of Goa, applies;

(b) "agriculturist" means a person who cultivates land personally, for the purpose of agriculture

(c) "appointed day" means the day on which this Act shall come into force

(d) "business" includes,—

(i) any trade, commerce or manufacture;

(ii) any adventure or concern in the nature of trade, commerce or manufacture;

(iii) any transaction in connection with, or incidental to or ancillary to trade, commerce, manufacture, adventure or concern;

(iv) any transaction in connection with, or incidental to or ancillary to the commencement or closure of such business;

(v) any occasional transaction in the nature of trade, commerce, manufacture, adventure or concern whether or not there is volume, frequency, continuity or regularity of such transaction,

whether or not trade, commerce, manufacture, adventure, concern or transaction is effected with a motive to make gain or profit and whether or not any gain or profit accrues from such trade, commerce, manufacture, adventure, concern or transaction.

Explanation.— For the purpose of this clause,

(i) the activity of raising of man-made forest or rearing of seedlings or plants shall be deemed to be business.

(ii) any transaction of sale of capital goods pertaining to such trade, commerce, manufacture, adventure, concern or transaction shall be deemed to be a transaction comprised in business.

(iii) Sales of any goods, the proceeds of which are credited to the business shall be deemed to be transactions comprised in business;

(e) "business premises" means any place where a dealer or a transporter sells, transports, keeps or delivers goods and includes any place where he stores, processes, produces or manufactures goods or keeps books of accounts:-

(f) "capital goods" means plant and machinery (including spares and components) and equipment used in or in relation to manufacture or processing of goods for sale or any other goods which is notified by the Government and used in furtherance of any business excluding such civil structures as may be prescribed;

(g) "casual trader" means a dealer who, whether as principal, agent or in any other capacity, has occasional or seasonal transaction involving the selling, supplying or distribution of goods or conducting any exhibition-cum-sale in Goa whether

for cash or for deferred payment, commission, remuneration or other valuable consideration;

(h) "Company" means a company as defined in section 3 of the Companies Act, 1956 (Central Act 1 of 1956) and includes a body corporate or corporation within the meaning of clause (7) of section (2) or Foreign Company referred to in section 591 of that Act;

(i) "Commissioner" means the person appointed to be the Commissioner of Commercial Taxes for the purposes of this Act;

(j) "to cultivate personally" means to carry on any agricultural operation on one's own account,-

(i) by one's own labour, or

(ii) by the labour of one's family, or

(iii) by servants on wages payable in cash or kind (but not in crop share), or by hired labour under one's personal supervision or the personal supervision of any member of one's family;

Explanation I — A widow or a minor, or a person who is subject to any physical or mental disability or is a serving member of the armed forces of the Union, shall be deemed to cultivate land personally if it is cultivated by her or his servants or by hired labour.

Explanation II— In the case of a Hindu undivided family, land shall be deemed to be cultivated personally, if it is cultivated by any member of such family.

(k) "dealer" means any person who carries on the business of buying, selling, supplying or distributing goods, executing works contract, delivering any goods on hire purchase or any system of payment by installments, transferring the right to use any goods or supplying by way of or as part of any service, any goods directly or otherwise, whether for cash or for deferred payment, or for commission, remuneration or other valuable consideration and includes;

(a) a casual trader;

(b) a commission agent, a broker or a del-credere agent or an auctioneer or any other mercantile agent, by whatever name called;

(c) a non-resident dealer or an agent of a non-resident dealer, or a local branch of a firm or company or association or body of persons whether incorporated or not, situated outside the State;

(d) a person who, whether in the course of business or not,—

(i) sells goods produced by him by manufacture, agriculture, horticulture or otherwise; or

(ii) transfers any goods, including controlled goods whether in pursuance of a contract or not, for cash or for deferred payment or for other valuable consideration;

(iii) supplies, by way of or as part of any service or in any other manner whatsoever, goods, being food or any other articles for human consumption or any drink (whether or not intoxicating), where such supply or service is for cash, deferred payment or other valuable consideration.

Explanation—

(a) an agriculturist who sells exclusively agricultural produce grown on land cultivated by him personally shall not be deemed to be a dealer within the meaning of this clause;

(b) Government or departments of Union Governments or Other State Governments and Union Territories which whether or not in the course of business, sells, supplies or distributes, goods directly or otherwise, for cash or for deferred payment or for commission, remuneration or other valuable consideration, shall, in relation to any sale, supply or distribution of surplus, unserviceable or old stores or materials or waste products or obsolete or discarded machinery or parts or accessories thereof, be deemed to be a dealer for the purpose of this Act;

(c) each of the following persons and bodies who dispose of any goods including goods as unclaimed or confiscated or as unserviceable or as scrap, surplus, old, obsolete or discarded material or waste products whether by auction or otherwise, directly or through an agent for cash or for deferred payment, or for any other valuable consideration, shall notwithstanding anything contained in clause (d) or any other provision of this Act, be deemed to be a dealer, to the extent of such disposals, namely:-

(i) Port Trust

(ii) Municipal Corporation/Council, and other Local authorities;

(iii) Railway Administration as defined under the Railway Act, 1989 (Central Act 24 of 1989);

(iv) Shipping Transport and Construction Companies;

(v) Air Transport companies and Airlines;

(vi) Transporters, holding permit for transport vehicles granted under the Motor Vehicles Act,

1988 (Central Act 59 of 1988) which are used or adopted to be used for hire;

(vii) Customs and Central Excise Department of Government of India administering the Customs Act, 1962 (Central Act 52 of 1962) and the Central Excise Tariff Act, 1985 (Central Act 5 of 1986);

(viii) Insurance and Financial Corporations or companies and Banks included in the Second Schedule to the Reserve Bank of India Act, 1934 (Act 2 of 1934);

(ix) Advertising agencies;

(x) Any other corporation, company, body or authority owned or set up by, or subject to administrative control of the Government;

(xi) Income Tax Department of Government of India administering the Income Tax Act, 1961 (Central Act 43 of 1961);

(xii) Any other body as may be notified by the Government from time to time.

(l) "declared goods" means declared goods as defined in the Central Sales Tax Act, 1956 (Central Act 74 of 1956);

(m) "director", in relation to a company, include any person occupying the position of director by whatever name called;

(n) "document" includes written or printed records of any sort, title deeds and data stored electronically in whatever form;

(o) "earlier law" means the Goa Sales Tax Act, 1964 (Act 4 of 1964) as amended from time to time, and includes enactments which have validated anything done or omitted to be done under any of the above mentioned laws;

(p) "goods" means all kinds of movable property (other than newspapers) and includes livestock, all materials, commodities, grass or things attached to or forming part of the earth which are agreed to be severed before sale or under a contract of sale, and property in goods (whether as goods or in some other form) involved in the execution of works contract, lease or hire-purchase or those to be used in the fitting out, improvement or repair of movable property but does not include actionable claims, stocks, shares and securities;

(q) "importer" means a person who brings any goods into the State or to whom any goods are dispatched from any place outside the State;

(r) "Input-tax" means tax charged under this Act by a registered dealer to another registered dealer on purchases of goods in the course of business;

(s) "manufacture" includes any activity that brings out a change in an article or articles as a result of some process, treatment, labour and results in transformation into a new and different article so understood in commercial parlance having a distinct name, character, use and includes extracting any goods but does not include such activity of manufacture as may be notified;

(t) "non-resident dealer" means a dealer who has no place of business in the State of Goa but who sells or delivers goods in the State of Goa for sale therein;

(u) "notification" means any notification issued under the Act;

(v) "Output tax" in relation to any registered dealer, means the tax charged in respect of sale or supply of goods made by that dealer;

(w) "person" includes an individual, any Government, any company or society or club or association or body of individuals whether incorporated or not, and also a Hindu undivided family, a firm and a local authority and every artificial juridical person not falling within any of the preceding descriptions;

(x) "prescribed" means prescribed by the rules made under this Act;

(y) "raw materials" means goods used as ingredients in the manufacture of other goods and includes processing materials, consumable stores and material used in the packing of the goods so manufactured;

(z) "registered dealer" means a dealer registered under this Act;

(aa) "resale" means a sale of purchased goods—

(i) in the same form in which they were purchased; or

(ii) without doing anything to them, which amounts to, or results in, a manufacture, and the word "resell" shall be construed accordingly;

(ab) "rules" means rules made under this Act;

(ac) "sale" with all its grammatical variations and cognate expressions means every transfer of the property in goods (other than by way of a mortgage, hypothecation, charge or pledge) by one person to another in the course of trade or business for cash or for deferred payment or other valuable consideration, and includes—

(a) transfer, otherwise than in pursuance of a contract, of property, in goods for cash, deferred payment or other valuable consideration;

(b) transfer of property in goods (whether as goods or in some other form) involved in execution of a works contract;

(c) delivery of any goods on hire purchase or any other system of payment by installments;

(d) transfer of the right to use any goods for any purpose (whether or not for a specified period), for cash, deferred payment or any other valuable consideration;

(e) a supply, by way of or as part of any service or in any other manner whatsoever, of goods being food or any other article for human consumption or any drink (whether or not intoxicating) where such supply or service is for cash, deferred payment or other valuable consideration;

Explanation - A sale shall be deemed to take place in Goa if the goods are within Goa,-

(i) in the case of specific or ascertained goods, at the time the contract of sale made; and

(ii) in the case of unascertained or future goods, at the time of their appropriation to the contract of sale by the seller, whether the assent of the buyer to such appropriation is prior or subsequent to the appropriation:

Provided that where there is a single contract of sale in respect of goods situated in Goa as well as in places outside Goa, provisions of this Explanation shall apply as if there were a separate contract of sale in respect of the goods situated in Goa.

(ad) "sale price" means the amount of valuable consideration received or receivable by a dealer for the sale of any goods less any sum allowed as cash discount, according to the practice normally prevailing in the trade, but inclusive of any sum charged for anything done by the dealer in respect of the goods at the time of or before delivery thereof, excise duty, special excise duty or any other duty or taxes except the tax imposed under this Act;

(ae) "Schedule" means the Schedule appended to this Act;

(af) "State" means the State of Goa;

(ag) "Government" means the Government of Goa;

(ah) "tax" means a tax, payable under this Act;

(ai) "taxable goods" means goods other than those specified in Schedule D;

(aj) "tax period" means such period as may be prescribed as tax period;

(ak) "Tribunal" means the Tribunal constituted under section 14 of this Act;

(al) "taxable turnover" means the turnover on which a dealer shall be liable to pay tax as determined after making such deductions from his total turnover and in such manner as may be prescribed, but shall not include the turnover of sale in the course of interstate trade or commerce or in the course of export of the goods out of the territory of India or in the course of import of the goods into the territory of India and the value of goods transferred or dispatched outside the State otherwise than by way of sale;

(am) "turnover" means the aggregate amount of sale price for which goods are sold or supplied or distributed by a dealer, either directly or through another, whether on own account or on account of others, whether for cash or for deferred payment, or other valuable consideration;

(an) "taxable sale" means sale which is taxable under the provisions of this Act;

(ao) "taxable person" means every person who is registered or is liable to be registered and liable to pay tax under this Act;

(ap) "vehicle" includes every wheeled conveyance used for the carriage of goods solely or in addition to passengers;

(aq) "Works contract" shall include any agreement for carrying out for cash, deferred payment or other valuable consideration, the building, construction, manufacturing, processing, fabrication, erection, installation, fitting out improvement, modification, repair or commissioning of any movable or immovable property;

(ar) "year" means, the financial year;

(as) "Quarter" means the period of three months ending on the 30th June, 30th September, 31st December or 31st March.

6. Reimbursement and Exemption of Tax.— (1) Tax collected under this Act on purchases made by specialized agencies of United Nations Organizations or Diplomatic Mission/Consulates or Embassies of any other country and their diplomats shall be reimbursed in such manner and subject to such conditions as may be prescribed.

(2) In respect of any goods not entitled for input tax credit and covered by Schedule 'C' appended hereto purchased within the State on payment of tax under this Act, the Government may subject to such conditions as it may impose, by notification exempt subsequent sales thereof from payment of output tax for such period as may be notified.

(3) In respect of any goods other than capital goods and such other goods as specified in schedule 'G' appended to this Act, or in sub-section (2) of section 9, used in the manufacturing or processing of finished products dispatched other than by way of sales, the Government may, notwithstanding anything contained in Section 9, by notification, allow input tax credit in excess of the rate of tax specified in sub-section (1) of section 8 of the Central Sales Tax Act, 1956 (Central Act 74 of 1956) on such goods purchased within the State subject to such terms and conditions as may be specified in the notification.

9. Input Tax Credit.— (1) Subject to such conditions and restrictions as may be prescribed Input Tax Credit either partially or wholly shall be allowed for the tax paid during the tax period in respect of goods including capital goods purchased and/or taken on hire or leased to him within Goa, other than those specified in Schedule 'G' and/or such other goods as may be notified from time to time by the Government, provided, the goods purchased are for resale in Goa or for sale in course of Inter State Trade or in course of export outside the territory of India or used by him as raw materials/capital goods in the manufacture or processing of taxable goods in Goa or for sale by transfer of right to use.

(2) No input tax credit under sub-section (1) shall be claimed or be allowed to a registered dealer:—

(i) in respect of goods purchased on payment of tax if such goods are not sold because of theft or destruction for any reason;

(ii) in respect of stock of goods remaining unsold at the time of closure of business;

(iii) in respect of any taxable goods under the Act purchased by him from another registered dealer for resale but given away by way of free samples or gifts;

(iv) in respect of capital goods/industrial inputs and packing materials, covered under Schedule 'B' of the Act, if said goods are utilized for the purposes other than those covered in the prescribed declaration;

(v) in respect of goods purchased from a dealer who has opted for composition of tax under sub-section (1) of section 7;

(vi) in respect of capital goods or capital assets:—

(a) purchased or paid prior to appointed day;

(b) capital expenditure incurred prior to the date of registration under this Act;

(c) capital goods not connected with the business of the dealer;

(d) capital goods used in the manufacture of goods or providing services which are not liable to tax under this Act;

(e) capital goods used in generation of energy/power including captive power;

(f) motor cars, its accessories and spare parts.

(vii) in respect of taxable goods sold within the State or in the course of inter-State-trade or commerce within the meaning of section 3 of the Central Sales Tax Act, 1956 (Central Act 74 of 1956), exempted from payment of tax under any specific notification issued under this Act or under the said Central Sales Tax Act, 1956;

(viii) in respect of goods used in the manufacture or processing of finished goods dispatched other than by way of sales outside the State";

(ix) in respect of purchase of motor vehicle including car, three wheeler and two wheeler under this Act or tax paid under the Goa Tax on Entry of Goods Act, 2000 (Act 14 of 2000) on import of such motor vehicle before grant of registration mark under the Motor Vehicles Act, 1988 (Central Act 58 of 1988), when such vehicle is resold as true value vehicle or otherwise by a registered dealer under this Act;

(x) in respect of raw material used in the manufacture of ready mixed concrete;

(xi) in respect of Naphta used as raw material by chemical fertilizer industry."

(xii) ice cream, alcoholic beverages including beer and wine and non-alcoholic beverages including packed juices, aerated water and soft drinks served in party, factory or industrial canteens, clubs, or served by caterer, for consumption at any place other than hotel/restaurant;

(xiii) Condemned vehicles.

(3) If goods purchased are intended for use specified under sub-section (1) and are subsequently used fully or partly, for purposes other than those specified under the said sub-section, or loss of goods arising out of theft or destruction for any reason or the stock of goods remaining unsold at the time of closure of business, the input tax credit availed at the time of such purchase shall be reduced from the tax credit for the period during which the said utilization has taken place provided that if part of the goods purchased are utilized otherwise,

the amount of reverse tax credit shall be proportionately calculated.

(4) Input tax credit shall be allowed to the registered dealer, subject to restrictions of sub-section (2), in respect of tax charged to him by a registered seller on taxable sales of goods made to him for the purpose of the business within three months prior to the date of his registration provided that no input tax credit shall be allowed in respect of goods which have been sold or otherwise disposed of prior to the date of registration.

(5) (a) where a registered dealer has availed of the input credit on any goods and the same goods are not used in the course of his business, input tax credit so availed becomes repayable in the tax period following the date on which these goods were put to such other use;

(b) where such goods were wholly or mainly used or are intended for use in sale of taxable goods prior to change of use, tax shall be calculated on the prevailing market value of such goods at the time of change of use;

(6) A registered dealer shall be eligible for input tax credit in respect of entry tax paid by him under the Goa Tax on Entry of Goods Act, 2000 (Act 14 of 2000) on goods other than those covered by Schedule 'G' and capital goods, brought by him in the local area for use or consumption in the manufacture or processing of goods within the State:

Provided that in respect of finished products dispatched by way other than sales, the input tax credit on goods other than those covered by Schedule 'G' and capital goods shall be to the extent it exceeds the rate specified under sub-section (1) of section 8 of the Central Sales Tax Act, 1956 (Central Act 74 of 1956).

(7) Balance unclaimed input tax credit of capital goods shall not be allowed in case of closure of business.

(8) The registered dealer shall be liable for input tax credit on stock held on the appointed day, towards the tax paid under the earlier law subject to such conditions as may be prescribed. The period and the date from which such input tax credit is to be apportioned shall be as notified.

(9) The deduction of input tax credit on capital goods under this section shall be allowed in two equal annual installments after the close of the respective year as under:

(i) in case of existing units, upon installation of such capital goods, and

(ii) in case of new units, upon commencement of commercial production.

29. Assessment.— (1) The returns submitted by the dealer shall be accepted as self-assessed:

Provided the Commissioner, as per the procedure prescribed, shall select upto twenty percent of the total number of such dealers or such percentage as may be notified by Government from time to time for detailed assessment:

Provided further when any dealer applies for cancellation of his registration certificate on the ground of closure or stoppage of his business, his last assessment shall be finalized on the basis of books of accounts and other records maintained by him after giving him an opportunity of being heard.

(2) Where-

(a) a person fails to file a return as required by section 24; or

(b) the Commissioner has reason to believe that the returns filed by a person are not correct and complete; or

(c) the Commissioner has reasonable grounds to believe that a person will become liable to pay tax under this Act but is unlikely to pay the amount due,

the Commissioner may make an assessment of the amount of tax payable by the person to the best of his judgment after giving him an opportunity of being heard.

(3) No assessment under this section for any year shall be made after a period of two years from the end of the year to which the return under section 24 is submitted by a dealer and no assessment under sub-section (9) shall be made after the expiry of five years from the end of the year in respect of which or part of which such assessment is to be made:

Provided that where assessment is made in consequence of or to give effect to, any order of an Appellate Authority or Revisional Authority or of a Court, the said period of two years shall be reckoned from the date of such order:

Provided further that in computing the period laid down in this sub-section, any period during which assessment proceedings are stayed by an order or injunction of any Court or authority such period shall be excluded";

(4) The Commissioner shall make an assessment of the amount that in his opinion, is the amount of tax payable under this Act, after making necessary enquiries and upon issue of notice on proposed assessment.

(5) The Commissioner shall serve a notice of the proposed assessment in the prescribed manner on the person to be assessed, which shall state-

(a) either the tax payable or the net tax payable in the case of registered dealer and any refund that may be eligible to be claimed;

(b) the time, place, and manner of objecting to the proposed assessment; and
 (c) reasons for the assessment to be made.

(6) The Commissioner shall serve a notice on completion of assessment under this section and the dealer shall pay the balance of tax in accordance with the terms of that notice.

(7) An amended assessment shall be treated in all respects as an assessment under this section.

(8) No assessment or other proceedings purporting to be made, issued or executed under this Act, shall be—

(a) quashed or deemed to be void or voidable for want of form; or

(b) affected by reason of mistake, defect or omission therein, if it is in substance and effect, in conformity with this Act or the rules made thereunder and the person assessed, or intended to be assessed or affected by the document is designated in it according to common understanding.

(9) Where, the Commissioner has reason to believe that a dealer is liable to pay tax in respect of any period, but has failed to apply for registration or has failed to apply for registration within the time as required by or under this Act, the Commissioner shall proceed to assess, to the best of his judgment, wherever necessary, the amount of tax due from the dealer in respect to such period and all subsequent periods and, in making such assessment, he shall give the dealer reasonable opportunity of being heard; and if he is satisfied that the default is without reasonable cause, direct the dealer to pay by way of penalty, in addition to tax assessed, sum not exceeding the amount of tax assessed.”.

Assembly Hall, R. KOTHANDARAMAN
 Parvorim, Goa. Secretary to the Legislative
 18th August, 2008. Assembly of Goa.

LA/LEGN/2008/1813

The following bill which was introduced in the Legislative Assembly of the State of Goa on 21-8-2008 is hereby published for general information in pursuance of Rule-138 of the Rule of Procedure and Conduct of Business of the Goa Legislative Assembly.

The Goa Motor Vehicles (Taxation on Passengers and Goods) (Amendment) Bill, 2008

(Bill No. 38 of 2008)

A

BILL

further to amend the Goa, Daman and Diu Motor Vehicles (Taxation on Passengers and Goods) Act, 1974.

BE it enacted by the Legislative Assembly of Goa in the Fifty ninth Year of the Republic of India, as follows:—

1 *Short title and commencement.*—(1) This Act may be called the Goa Motor Vehicles (Taxation on Passengers and Goods) (Amendment) Act, 2008.

(2) It shall be deemed to have come into force with effect from 12th day of June, 2008.

2 *Amendment of Schedule.*— In the Schedule appended to the Goa, Daman and Diu Motor Vehicles (Taxation on Passengers and Goods) Act, 1974 (Act 7 of 1974), (hereinafter referred to as the “principal Act”), in clause (1), in sub-clause (a),—

(i) for item (iii), the following shall be substituted, namely:—

“(iii) Vehicles in respect of which permits have been issued under section 88(9) of the Motor Vehicles Act, 1988 (Central Act 59 of 1988), registered in the State of Goa:—

(i) for a big bus - Rupees one hundred fifty, per seat, per month or rupees five thousand two hundred fifty per month, whichever is higher.

(ii) for a mini bus - Rupees one hundred fifty, per seat, per month or rupees three thousand seven hundred fifty per month, whichever is higher.

(iii) for maxi-cabs - Rupees one hundred, per seat, per month.”;

(ii) for item (iv), the following shall be substituted, namely:—

“(iv) Vehicles in respect of which permits have been issued under section 88(9) of the Motor Vehicles Act, 1988 (Central Act 59 of 1988), registered in a State other than the State of Goa and plying in the State of Goa:—

(i) for a big bus - Rupees five hundred, per seat, per month or rupees seventeen thousand five hundred per month, whichever is higher;

(ii) for a mini bus - Rupees five hundred, per seat, per month or rupees twelve thousand five hundred per month, whichever is higher.”

3. Repeal and saving.—(1) The Goa Motor Vehicles (Taxation on Passengers and Goods) (Amendment) Ordinance, 2008 (Ordinance No. 6 of 2008) is hereby repealed.

(2) Notwithstanding the repeal of the Goa Motor Vehicles (Taxation on Passengers and Goods) (Amendment) Ordinance, 2008 (Ordinance No. 6 of 2008), anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act, as amended by this Act.

Statement of Objects and Reasons

As the Legislative Assembly of Goa was not in session and the above mentioned amendments were required to be carried out immediately, the Governor of Goa promulgated the Goa Motor Vehicles (Taxation on Passengers and Goods) (Amendment) Ordinance, 2008 (Ordinance No. 6 of 2008) on the 12th day of June, 2008.

The Bill seeks to replace the aforesaid Ordinance.

The Bill seeks to achieve the above objects

Financial Memorandum

The Bill seeks to increase the composition fee specified in the Schedule to the Goa, Daman and Diu Motor Vehicles (Taxation on Passengers and Goods) Act, 1974 (Act 7 of 1974), in respect of vehicles which have been issued permits under section 88(9) of the Motor Vehicles Act, 1988 (Central Act 59 of 1988) and this increase in fees would result in revenue collection of rupees four crores from the vehicles, approximately.

Memorandum Regarding Delegated Legislation

No delegated legislation is involved in this Bill.

Panaji, Goa.
19th August, 2008.

RAMKRISHNA DHAVALIKAR
Minister for Transport

Assembly Hall,
Parvorim, Goa.
19th August, 2008.

R. KOTHANDARAMAN
Secretary to the Legislative
Assembly of Goa.

Governor's Recommendation under Article 207 of the Constitution of India

In pursuance of Article 207 of the Constitution of India, I, Dr. Shivinder Singh Sidhu, Governor of Goa, hereby recommend the introduction and consideration of the Goa Motor Vehicles (Taxation on Passengers and Goods) (Amendment) Bill, 2008, by the Legislative Assembly of Goa.

LA/LEGN/2008/1833

The following bill which was introduced in the Legislative Assembly of the State of Goa on 22-8-2008 is hereby published for general information in pursuance of Rule-138 of the Rule of Procedure and Conduct of Business of the Goa Legislative Assembly.

THE GOA BAN ON IMMERSION OF PLASTER OF PARIS IDOLS BILL, 2008

(Bill No. 29 of 2008)

A

BILL

to ban the immersion of idols made of plaster of paris in water bodies in Goa.

BE it enacted by the Legislative Assembly of Goa in the Fifty-ninth Year of the Republic of India as follows:

1 Short title and commencement.— This Act may be called the Goa Ban on Immersion of Plaster of Paris Idols Act, 2008.

2. Ban on Immersion of Plaster of Paris Idols.— No one shall immerse, throw, dissolve, deliberately or by inadvertence, any article including idols, made wholly or partly of plaster of Paris, in any public water body, whether it is sea, river, nullah, pond, stream, spring, pool or by any such name.

3. Special responsibility of the State Government.— It shall be special responsibility of the State Government to keep vigil against contravention of this Act especially before, during and after religious functions when there will be more probability of this Act to be contravened.

4 Complaints and penalty.—(1) Complaints for violation of this Act shall be preferred before the Collector concerned.

(2) The Collector shall follow a summary procedure of inquiry and pass orders for penalty, if found guilty.

(3) While passing orders the Collector shall rely upon statements in corroboration made by nearby residents and passers by as well as photographs including photographs taken on mobile cameras, and every complaint shall be disposed of within 7 days of receipt of complaint.

(4) Every person who contravenes this Act shall be punished with a fine of Rs. 5000 and simple imprisonment for a period 15 days and if more than one person contravenes this Act in a group, each such person in that group shall be fined and imprisoned separately.

4 Appeal.—Appeal against the order of the Collector under this Act shall be made to the Secretary in-charge of the Department dealing with Environment protection, who shall dispose of the appeal within 7 days from the date of filing of the appeal.

Statement of Objects and Reasons

The pollution caused to water bodies in the State of Goa due to immersion of idols made of plaster of Paris has become an uncontrolled menace endangering very quality of life. Suitable law needs to be in place to curb this menace as well as to punish the perpetrators of this environmental hazard.

2. The Bill seeks to achieve these objectives.

Panjim, Goa.
6 August, 2008.

S/-
DAMODAR NAIK

LA/LEGN/2008/1834

The following bill which was introduced in the Legislative Assembly of the State of Goa on 22-8-2008 is hereby published for general information in pursuance of Rule-138 of the Rule of Procedure and Conduct of Business of the Goa Legislative Assembly.

The Goa Town and Country Planning (Repeal of Amendment Act No. 10 of 2008) Bill, 2008

(Bill No. 32 of 2008)

A

BILL

to repeal the Town and Country Planning (Amendment) Act, 2008.

BE it enacted by the Legislative Assembly of Goa in the Fifty-ninth Year of the Republic of India as follows:

1 Short title and commencement.—(1) This Act may be called the Goa Town and Country Planning (Repeal of Amendment Act No. 10 of 2008) Act, 2008.

(2) It shall be deemed to have come into force on the 29th day of February, 2008.

2 Repeal.—The Goa Town and Country Planning (Amendment) Act, 2008 (Goa Act 10 of 2008) is hereby repealed.

3 Savings and removal of doubts.—(1) Notwithstanding such repeal, all acts done or omitted to have been done under the Goa Town and Country Planning (Amendment) Act, 2008 (Goa Act 10 of 2008) until its repeal, shall be deemed to have been done or omitted to have been done as though the said Act (Goa Act 10 of 2008) had been validly in force.

(2) The State Government shall issue necessary orders in consistence with this Act, for removal of any doubt that may arise owing to the coming into force of this Act.

Statement of Objects and Reasons

Sections 16 and 16A that were originally in the Goa Town and Country Planning Act, 1974 preserved and protected the local aspirations as regards the regional plan. State or Central Governments, besides private individuals and entrepreneurs, were forbidden to undertake any developmental work which was not in conformity with the regional plan.

2. Reversing this objective, the State Government first promulgated an Ordinance on the

29th February, 2008 and thereaf ter enacted the Goa Town and Country Planning (Amendment) Act, 2008, which enabled the State and Central Governments to undertake developmental work which may be in total disregard of the regional plan. While the Amendment Act continued the fetters on the private individuals and entrepreneurs, the enabling of State and Central Governments to carry out development works bypassing regional plans, is sure to cause grave jeopardy to the traditional vision of the local population to have the regional plan in the way they want for preserving and protecting the State's interests against aggrandizement.

3. This Bill therefore seeks to restore the original sections 16 and 16A in the Goa Town and Country Planning Act, 1974.

Sd/-

Parvorim, Goa.
6 August, 2008.

MANOHAR PARRIKAR
Leader of Opposition

LA/LEGN/2008/1835

The following bill which was introduced in the Legislative Assembly of the State of Goa on 22-8-2008 is hereby published for general information in pursuance of Rule-138 of the Rule of Procedure and Conduct of Business of the Goa Legislative Assembly.

THE GOA PUBLIC GAMBLING (AMENDMENT) BILL, 2008

(Bill No. 30 of 2008)

A

BILL

to further amend the Goa Public Gambling (Amendment) Act, 1976

BE it enacted by the Legislative Assembly of Goa in the Fifty-ninth Year of the Republic of India as follows:

1 *Short title.*— (1) This Act may be called the Goa Public Gambling (Amendment) Act, 2008.

2 *Amendment of section 13A.*— In section 13A of the Goa Public Gambling Act, 1976, —

- (a) sub-section (2) shall be omitted;
- (b) sub-section (1) shall be re-numbered as section 13A; and
- (c) at the end of section 13A, the following explanations shall be added, namely:—

"Explanation 1.— "Vessels offshore" referred in this section shall mean only maritime vessels and not inland vessels, operating at sea at a minimum distance of 5 nautical miles away from the State's coastline which have been licensed to operate by the Directorate General of Shipping, Ministry of Surface Transport, Government of India.

Explanation 2.— The Explanation 1 as above shall be deemed to have been inserted in the Act with effect from the 11th day of September, 1996 [date of coming into force of the Goa Public Gambling (Amendment) Act, 1996 (Goa Act No. 13 of 1996)] and all definitions of the terms "vessels offshore" in all Notifications issued under the Goa Public Gambling Act, 1976 shall be deemed to have been brought in consistence with the definition in Explanation 1 as above.

Statement of Objects and Reasons

Offshore casinos have however remained on paper which continue to operate in inland waters of Goa with impunity despite protests by public and the Opposition in the Legislative Assembly. The loopholes in law combined with the insensitivity of the Government to this glaring violation, have necessitated the plugging of these gaping holes by private member's legislation.

2. The object of the Bill is to confine offshore casinos to seas, 5 nautical miles away from the Goan coastline. The Bill also restricts the offshore casinos to maritime vessels with the total exclusion of inland vessels.

Sd/-

Parvorim, Goa.
6 August, 2008.

MANOHAR PARRIKAR
Leader of Opposition

A N N E X U R E

The Goa Public Gambling (Amendment) Bill, 2008

1[13(A) Authorised Game- (1) Notwithstanding anything contained in this Act, the Government may authorise any game of electronic amusement/slot machines in Five Star Hotels 2[and such table games and gaming on board in vessels offshore as may be notified], subject to such conditions including payment of such recurring and non-recurring fees as may be prescribed.

(2) The provisions of this Act shall not apply to any game authorised under sub-section (1)].

Parvorim, Goa.
14 August, 2008.

R. KOTHANDARAMAN
Secretary

LA/LEGN/2008/1836

The following bill which was introduced in the Legislative Assembly of the State of Goa on 22-8-2008 is hereby published for general information in pursuance of Rule-138 of the Rule of Procedure and Conduct of Business of the Goa Legislative Assembly.

THE GOA PANCHAYAT RAJ (AMENDMENT) BILL, 2008

(Bill No. 31 of 2008)

A

BILL

to further amend the Goa Panchayat Raj Act, 1994

BE it enacted by the Legislative Assembly of Goa in the Fifty-ninth Year of the Republic of India as follows:

1 Short title and commencement.— (1) This Act may be called the Goa Panchayat Raj (Amendment) Act, 2008.

2 Amendment of section 46.— In section 46 of the Goa Panchayat Raj Act, 1994, after sub-section (1), the following proviso shall be inserted, namely:

"Provided that, in the case of a women candidate for election to the offices of Sarpanch and Deputy Sarpanch reserved for women candidates, the nominations shall be by self and there shall be no requirement for proposer or seconder."

3 Amendment of section 51.— In section 51 of the Goa Panchayat Raj Act, 1994, after the second proviso to sub-section (1), the following proviso shall be inserted, namely:

"Provided also that no notice of motion of no confidence shall be moved against a women Sarpanch or women Deputy Sarpanch occupying such office reserved for her, before she had completed a period of one year in office."

Statement of Objects and Reasons

Reservation of women in local bodies, despite Constitutional and statutory provisions, remains

unachieved for various reasons. At practical level, women candidates are unable to find proposers and seconders for their nomination as Sarpanch or Deputy Sarpanch. If this provision requiring proposer and seconder is liberalized, there will be at least women competing for the said offices. This would be the first step towards facilitating women empowerment as envisaged by the reservation provisions. Besides this, women, after election to these offices, need a minimum period in office to assume stability. The constant fear of being removed from office affects their functioning and only a concession towards them in political terms like an assured tenure for one year, may bring about the desired stability in their functioning thereby translating the noble vision of women empowerment becoming a reality in grass root level bodies.

3. This Bill seeks to amend the Goa Panchayat Raj Act, 1994 to achieve these objectives.

Sd/-

Parvorim, Goa.

MANOHAR PARRIKAR

6 August, 2008.

Leader of Opposition

A N N E X U R E

The Goa Panchayat Raj Act, 1964

Sec. 46. Procedure for Election of Sarpanch and Deputy Sarpanch.—(1) At the first meeting of the Panchayat to be called on a day fixed by the Government the members of the Panchayat shall elect, from amongst themselves a Sarpanch and a Deputy Sarpanch.

(2) Such officer as may be specified in this behalf by the Government shall preside at such meeting but shall not have the right to vote.

(3) No business other than the election of the Sarpanch and Deputy Sarpanch shall be transacted at such meeting.

(4) In case of equality of votes, the result of the election shall be decided by lots drawn in the presence of the Officer aforesaid in such manner as he may determine.

(5) In the event of a dispute arising as to the validity of the election of the Sarpanch or the Deputy Sarpanch, the dispute shall be referred to such authority as may be specified by notification by the Government and the decision of such authority thereon shall be final.

14[“(6) the procedure for the election of Sarpanch and Deputy Sarpanch shall be such as may be prescribed”]

Sec. 51. Motion of no confidence against Sarpanch and Deputy Sarpanch.—

18[“(1):”] Every Sarpanch or Deputy Sarpanch shall forthwith be deemed to have vacated his office if a resolution expressing want of confidence in him is passed by a majority of a total members of the Panchayat at a meeting specially convened for the purpose:

Provided that no such 19[“notice of motion of no-confidence”] shall be taken into consideration unless it is signed by the majority of the members.

20[“Provided further that no notice of motion of no confidence shall be moved within six months after the meeting of Panchayat defeating the motion of no confidence.”]

21[“(2) The notice of no confidence motion shall be delivered to the Block Development Officer who shall convene a special meeting of the Panchayat to consider the no confidence motion within fifteen days from the receipt of the notice thereof.

(3) A copy notice of no confidence motion shall also be delivered to the Secretary of the Panchayat.

(4) The procedure to be followed for such special meeting shall be such as may be prescribed.”]

- - -♦♦♦- - -

Department of Official Language and Public Grievances

Directorate of Official Language

Notification

5/10/DOL/Publications/2008-2009/482

The Government of Goa is pleased to formulate the following Scheme in the State of Goa, namely:-

1. Scheme for publications in Official Language 2008.— On the subjects - Science and Technology, Sociology including Goan Social Ethos, Philosophy, Social Awareness, Human Development, Finance, History, Agriculture/Rural Development, Media/Mass Communication/Information Technology, Administration, Tourism etc.

2. Objective of the Scheme.— To encourage writers in the State to develop their talent and to give boost to Official Language. i. e. Konkani and Marathi and English.

3. It shall come into force at once.

4. Eligibility and conditions.— (i) The manuscripts in Konkani, Marathi or English should be on the subjects - Science & Technology, Sociology including Goan Ethos, Philosophy and Social Awareness, Human Development, Finance, History, Agriculture/Rural Development, Media/Mass Communication/Information Technology, Tourism, Administration etc.

(ii) Under the Scheme, only unpublished manuscripts are acceptable.

(iii) Any citizen of India of Goan Origin or permanently residing in Goa can take part in the Scheme.

(iv) The manuscript should be an analytical review of the subject it deals with. Manuscripts written in the form of novel, story, play etc. or text books written for schools, will not be considered.

(v) The manuscript should contain minimum 250 typed pages (A4 size).

(vi) If the Evaluation Committee arrives at the conclusion that none of the manuscripts, sent as entries, is suitable for the award, its decision in this regard will be considered as final.

(vii) In case, the manuscript selected for the publication is written by more than one writer, honorarium will be distributed among them equally.

(viii) Manuscripts which have already received honorarium/award under any other Scheme, will not be considered under this Scheme.

Honorarium.— Under the Scheme a writer shall be eligible for honorarium maximum upto Rs. 1.00 lakh.

Note: Above limit is the maximum limit and does not mean that the writer will get the honorarium upto the maximum limit. The Evaluation Committee shall scrutinize and decide upon the quantum of the honorarium.

6. Procedure for forwarding entries.— (i) The Directorate of Official Language shall release an advertisement/Press note on local daily

newspapers thereby inviting applications from Goan writers for availing benefits under the Scheme.

(ii) Entries must be sent in the "Application Form" given at Annexure, appended to the scheme alongwith three copies of the manuscript, for each entry.

(iii) A writer may send more than one entry for consideration, provided that their subject matter is different.

(iv) The entries must reach the Directorate of Official Language by post or delivered in person.

(v) Address for sending the entry- The Director, Directorate of Official Language, 1st Lift, 5th Floor, Junta House, Panaji, Goa - 403 001.

(vi) Entries received after the prescribed date will not be considered.

(vii) The application shall be accompanied with:

(a) Passport size photograph of the writer.

(b) Age proof.

(c) Residence proof.

(d) Declaration stating that the manuscript has not been awarded under any other Scheme.

(e) Educational qualifications, which includes degree, awards, research and any other achievements in the field.

(viii) The writer shall be expert on the subject and fully qualified (proof may be submitted).

7. Evaluation Committee.— (i) An Evaluation Committee constituted by the Government will consider the entries.

(ii) Close relative of participating writers will not be considered for inclusion in the Evaluation Committee.

(iii) The Evaluation Committee reserves the right to obtain views of the expert(s) of the

concerned subject before giving its decision regarding a manuscript.

(iv) The Evaluation Committee will set the criterion for evaluation.

(v) In case of any difference of opinion regarding selection of manuscript, the matter will be decided by a majority vote. If there are equal number of votes in favour of or against a decision, the chairman will have the right to cast a decisive vote.

(vi) Subject matter expert shall be decided by the Committee.

8. Declaration of selection of manuscript.—

(i) Decision regarding the selection of manuscript will be intimated through a letter to the writer.

(ii) Honorarium will be distributed on the date to be fixed by the Directorate of Official Language.

9. General.— (i) The Directorate of Official Language will get the manuscript printed in book form properly designed, incorporating necessary photographs.

(ii) There will be no correspondence regarding the procedure for selection of the manuscript. The writers will be given a fixed number of copies when printed.

(iii) The decision of the Evaluation Committee will be final.

This is issued with the concurrence of the Finance Department vide their U. O. No. 694 dated 1-8-2008.

By order and in the name of the Governor of Goa.

Menino Peres, Director of Official Language & ex officio Joint Secretary.

Panaji, 8th August, 2008.

ANNEXURE

**Scheme for publications in Official Language –
Konkani, and Marathi and English-on the subjects
Science & Technology, Sociology, etc.**

APPLICATION FORM

1. Name of the manuscript

2. Screen/Subject of the manuscript

3. (i) Name of the writer/writers

(ii) Full Address (with pin code)

(iii) Telephone/Fax No.

(iv) Email Address

4. Had the manuscript been sent for any other competition previously? If yes, please give full details thereof:-

(a) Where sent

(b) To whom sent (complete address)

(c) Had any award been given? If yes, give full details

5. Has the author won any award under any Scheme for Original Book Writing? If yes, give the following details:-

(i) Name of the prize winning book

(ii) Year of the prize

(iii) Amount of prize

(iv) Year of publishing of the book

(v) Full address of publisher

(vi) Price of book

6. I/We certify that

(i) I/We am/are Indian citizen(s).

(ii) The manuscript has been written originally in Konkani/Marathi/English, by me/us.

(iii) The copyright of any other person is not violated by entering my/our manuscript in this Scheme.

I/We promise to abide by the provisions of the regulations of the Scheme for publications in Official Language on the subjects Science & Technology, Sociology, etc.

Signature of Author/Authors

Place:

Date:

Note: (1) This form duly filled in, alongwith three copies of the manuscript, may be sent to Directorate of Official Language, 1st Lift, 5th Floor, Junta House, Panaji-Goa-403 001.

(2) A gist of the book, in English, duly signed by the author may be enclosed.

7. Right to relax Regulations.— If the Government deems it necessary or appropriate, it may relax any of the provisions of these regulations by an order and after recording the reasons thereof.

- - -♦♦- - -

Department of Personnel**Notification**

1/7/79-PER (Pt.V)

In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, read with section 21 of the General Clauses Act, 1897 (Central Act 10 of 1897), the Governor of Goa is hereby pleased to amend the Government Notification No. 1-15-78-Div.I, dated 26-6-1979, published in the Official Gazette, Series I No. 16, dated 19-7-1979 (hereinafter referred to as the "said Notification"), as follows:-

In the said Notification, in the Schedule, for the post "Asstt. Librarian", and entries thereof, the following shall be substituted, namely:-

Assistant Librarian.	1	Group C,	Rs. 4500-	N. A.	Not exceeding 40 years	No	Essential:	Age: No	Two years.	By promotion, failing which, by transfer or deputation and failing both, by direct recruitment.	Promotion:	Group 'C', N. A.
(Sub- ject to varia- tion depen- dent on work- load).		Non- -Mini- sterial, Non- -Gaze- tted.	-125- -7000.				(1) Degree of a recognized University or equivalent.	Educa- tional qualifica- tions: Yes.		Library Assistant with 5 years regular service in the grade.	Library Assistant D. P. C./D.S.C.	
							(2) Degree or Diploma in Library Science (one year course after graduation).			Transfer on Deputation:		
							(3) Knowledge of Konkani.			Officials holding analogous post in the Department under this Administration (Period of deputation shall ordinarily not exceed 3 years.)		
							Desirable:					
							(1) Knowledge of Portuguese and Marathi.					
							(2) One year experience in the line.					

By order and in the name of the Governor of Goa.

Yetindra M. Maralkar, Joint Secretary (Personnel).

Parvorim, 20th August, 2008.

Department of Public Health

Order

22/6/2008-I/PHD

Sub: Screening of new born babies for metabolic disorders in the State of Goa.

The Government is pleased to recognize Neogen Labs Pvt. Limited, Bangalore for the purpose of providing the facilities of screening of new born babies for metabolic disorders in the State of Goa. The Goa Medical College, Two District Hospitals (North Goa & South Goa) and all the Health Centres with in-patient facilities shall be covered under the programme.

The main aim of the programme is to save and improve the life of a child by early detection of in-born metabolic disorders, if any through its first step, new born screening programme.

The implementation of the programme is further subject to the terms and conditions envisaged in the agreement dated 13-6-2008 entered between the Government and the Neogen Labs Pvt. Limited.

The expenditure incurred towards the new born baby screening programme shall be debitable under the Budget Head of Mediclaim Scheme.

This issues with the concurrence of the Finance Department vide their U. O. No. Fin (Exp.)/Dept/523 dated 6-2-2008.

By order and in the name of the Governor of Goa.

D. G. Sardessai, Joint Secretary (Health).

Parvorim, 27th August, 2008.